

REMARKS

Claims 1-20 were originally filed in this application. Claims 10-13 have been canceled and claims 1-9 and 15-20 have been withdrawn.

Claim 14 has been herein amended to further distinguish the invention over the prior art. No new matter has been added by the amendments to claim 14, full support for the amendments being found throughout the originally filed specification, claims and drawings.

Rejections Under 35 U.S.C. § 102

Claim 14 is rejected under 35 U.S.C. § 102(b) as being anticipated by Wright (U.S. Pat. No. 3,817,521). Claim 14 has also been rejected under 35 U.S.C. § 102(b) as being anticipated by Hoffman (U.S. Pat. No. 5,529,357). Applicant respectfully traverses these rejections.

It is the examiner's position that both Wright and Hoffman disclose handheld instruments having a chrysalis. Applicant submits that the examiner is in error in this regard. The term "chrysalis" as used in this application is clearly directed to a sheet of material wrapped around the handle of the handheld instrument to aid the user grip the handle and to protect the hand of the user. Clearly, the structure identified by the examiner in both Wright and Hoffman as defining chrysalises is not a chrysalis as that term would be understood by those of ordinary skill in the art reading the present

application. Accordingly, applicant submits that the rejections of claim 14 under 35 U.S.C. § 102(b) as being anticipated by both Wright and Hoffman is in error and should be withdrawn.

Notwithstanding applicant's position as set forth immediately above, applicant herein amends claim 14 to further clarify the meaning of the term "chrysalis" as used in this application. Claim 14 is now limited to chrysalis structures "comprising a sheet of flexible material." Neither Wright nor Hoffman teach, disclose or fairly suggest any such structure.

New claim 21 further clarifies the term "chrysalis" by limiting the sheet of flexible material to one sufficiently large that the hand of a user gripping the handle of the instrument touches only the chrysalis and a thumb spur. Language has been added to the specification to support this new claim. No new matter has been added by this amendment to the specification, since the size of the sheet of flexible material is clearly illustrated in originally-filed Figures 19-21.

New claim 22 also further limits the concept of the term "chrysalis" by limiting the sheet of flexible material to one which is padded.

New claim 23 also limits the invention of claim 14 by requiring that the thumb spur project away from the handle by a distance of less than 4 inches.

New claim 24 also further limits the invention of

claim 14 by requiring that the thumb spur has a central portion which comprises an elastomeric material.

New claim 25 also further limits the invention of claim 14 by requiring that the thumb spur be removably attached at the gripping portion of the handle.

New claim 26 also further limits the invention of claim 14 by requiring that the thumb spur be removably attached at the gripping portion of the handle by a quick release attachment device.

New claim 27 further limits the invention of claim 26 by requiring that the quick release attachment device comprise a male connection pin and requiring that the gripping portion of the handle is provided by at least one female receptor capable of accepting and firmly retaining the male connection pin.

Finally, new claim 28 further limits the invention of claim 27 by requiring that the gripping portion of the handle be generally oval in cross-section and have a pair of narrow end surfaces and a pair of wide opposed side surfaces and requiring that a female receptor be disposed in at least one of the wide side surfaces.

None of the additional limitations of new claims 21-28 are taught, disclosed or fairly suggested by either Wright or Hoffman. Accordingly, each of these new claims should be patentable over Wright and Hoffman because of the additional limitations set forth in each of the new claims.

Moreover, nothing in Wright or Hoffman provides any incentive for the use of a chrysalis as that term is defined in claim 14 or for any of the additional limitations set forth in new claims 21-28. Accordingly, no rejections based upon 35 U.S.C. § 103 should be made concerning amended claim 14 or new claims 21-28.

CONCLUSION

For the reasons set forth above, applicant respectfully submits that all of the claims remaining in the application are now in condition for allowance. Accordingly, reconsideration, reexamination and allowance of all claims is requested.

REQUEST FOR EXTENSION

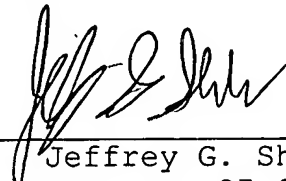
Applicant requests a three-month extension of the deadline to file this Response. The Commissioner is authorized to charge any fee(s) associated with the filing of this Response, including fees for the three-month extension to file, to Deposit Account No. 19-2090.

Respectfully submitted,

SHELDON & MAK

Date: May 24, 2005

By: _____

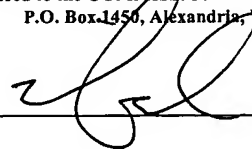


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I hereby certify that on May 24, 2005, I deposited with the U.S. Postal Service
this package, addressed to the COMMISSIONER FOR PATENTS,
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Jennifer Anka